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BOARD OF INQUIRY

19 February 1962

10:00 a.m. - 12:00 noon

COLONEL EDWARDS (Continuing): weren't even aware of the project, so that we have tried to keep it on an eyes only basis. At the time this was organized I put some of my people under the senior officials in charge of the Project, and I think they deserve much of the credit, or those people in command, for being able to keep it this way for so many years. I want to make this short here now, but I will call on a couple of my people here to brief the board. All of the senior officials of the Government and of the Agency who were briefed on this, it was on this same sort of basis, so I think you will have some feeling of what we have sort of brought in in the matter of our briefings. I also think that the Board might want to think as you go along -- and if I can help, and the Counsel will also advise -- that the report that is going to be written up will be a very sensitive sort of document, and I would recommend that the Board as you get into this thing might want to think, of course, everything being reported to the Agency or to the

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officer appointing the Board, but any other modified type of report under the terms of reference of the Board that could, or, if I may be so bold, will eventually pass to Congress or maybe some parts to the press -- I can see that it's a problem, and in meeting that problem I will make an effort to do my best to advise. I will now call on the briefing officers. We will have a briefing first on the Project from [REDACTED]

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[REDACTED] My name is [REDACTED] and I am the

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security officer of the Project. During the debriefings of Mr. Powers and the inquiry here certain very sensitive information will be introduced here. The covert operation of the U-2 aircraft both before Mr. Powers' incident and subsequent thereto has been protected by a special security system which is now identified as Project IDEALIST. Although much sensitive information became available to both the Soviets and to the American public because of the incident, the covert utilization of the U-2 continues to be at the present time a very significant force for the collection of vital intelligence information. Also interspersed in the testimony will be information pertaining to

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communications intelligence. [REDACTED] will brief you on that

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subsequent to my statements here. In the interest of speed and

simplification all testimony will initially be classified Project

IDEALIST, communications intelligence -- or COMINT, as the

word is known, and also TOP SECRET. Efforts will be made

subsequent and as becomes necessary to declassify the appro-

priate sections. There will be placed before you an IDEALIST

security manual consisting of a little over two pages of reading

matter, and an IDEALIST secrecy oath which will clarify for

you in general terms those areas which we still regard as being

classified within the meaning of the special clearance, as you

were, of this special security system.

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[REDACTED] - I am a Central Intelligence

Agency communications intelligence officer. As [REDACTED]

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has indicated, this particular proceeding will involve several

different types of intelligence, all of which are very sensitive.

One of those is communications intelligence. Communications

intelligence is obtained by the interception of foreign communi-

cations. In our context it is a classified term. For the purpose

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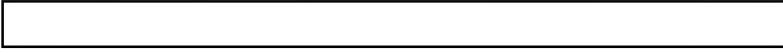
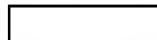
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of discussing that type of information in the presence of uncleared people or persons whose clearance is in doubt we use an overt unclassified term called "Special Intelligence" - commonly referred to as "SI". It's safe to say a person has an SI clearance where this pertains to SI matters is completely unclassified, but in the context that we use it - communications intelligence, which is synonymous, is classified. Now Title 18 of the U.S. Code, Section 798, makes it unlawful for a person to disclose or discuss communications intelligence matters with any other person unless that person has the appropriate clearance. It is incumbent upon a person who has a communications intelligence clearance to ascertain first of all whether or not the other person does have such a clearance before he commences such a discussion with him or releases communications intelligence material.

Now this particular type of clearance which you gentlemen have makes it mandatory upon you to observe the sensitivity of this ~~maxx~~ particular matter - this type of material-- indefinitely, permanently. It is not a clearance which terminates upon the conclusion of this particular proceeding, but it rests

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with you - that obligation - indefinitely, permanently.

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As [redacted] said, we have some documents here which we would like for you to please read and to sign the secrecy o~~xxde~~ce oath.

For purposes of the record, I might read the captions of the document. The first is identified as the IDEALIST Security Manual; second, the IDEALIST secrecy oath; following that you will find a communications intelligence indoctrination form; and lastly, the applicable sections of Title 18, Section 789 of the United States Code. And I would appreciate it if you would ~~xxxxxx~~ read these documents and sign the oaths.

MR. HOUSTON: Now going into formal session, we would like to present some witnesses and introduce some basic material we think would be appropriate for the Board to consider.

I would like to call first Mr. Cunningham to give the Board some additional briefing on the nature and some special aspects of the project.

Judge Prettyman then swore in the witness,
James Cunningham.

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MR. HOUSTON: Mr. Cunningham, would you identify yourself -- give your full name and position?

MR. CUNNINGHAM: My name is James A Cunningham. I am the Acting Chief of the Development Projects Division of Central Intelligence Agency.

MR. HOUSTON: Would you proceed to inform the Board of some of the aspects of the Project that you think are pertinent to its consideration.

MR. CUNNINGHAM: It has been my pleasure for slightly more than six years and nine months to have been intimately associated with the U-2 Project from the time it was a set of engineering drawings through its flying days in [redacted]

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[redacted] that you have seen in the movie this morning, through its employment overseas as I think the single most successful gross intelligence collection vehicle that the country has ever had, through the difficult days of 1 May 1960 and up to the present time.

I should say the main thing that I think could be emphasized here today, and which I will try to do, is to stress for you the kind of an organization which we had in the Agency to accomplish the job which we had before us. The

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keynote of our organization here and also in the Air Force was compartmentation -- in other words, the limiting of knowledge of the activity by setting up special groups to conduct the business of the activity without reference to the rest of the Agency. There was established then in the Central Intelligence Agency a cell which concerned itself with the administration and operation of the entire U-2 project. It was this cell, then, which I joined in May of 1955 at a time when it had a total of 5 people. It was this cell which guided bringing the weapons system into being, and then subsequently of course it grew much beyond the original dimensions.

JUDGE PRETTYMAN: When you speak of the U-2 Project what is the blanket term you have used now in referring to the Project? What Project? You have used it several times.

MR. CUNNINGHAM: Within the Agency the first cryptonym assigned to the Project was Project AQUATONE. This was the label under which we operated.

JUDGE PRETTYMAN: You used some term several times in referring to this Project. What is the Project? Let me put it this way: is the Project the ship or the plane, or is

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the Project an area of the earth's surface from which you want
to get information?

MR. CUNNINGHAM: The Project in effect is the task
order under which this entire system was planned and operated.

JUDGE PRETTYMAN: Was the Project order to create
a plane useable everywhere, or was the purport of the order an
effort to cover/certain part of the earth's surface?

MR. CUNNINGHAM: No. The Project order, as you
have referred to it, was to develop and operate a weapons
system which was capable of reconnaissance of the kind that
is associated with U-2.

JUDGE PRETTYMAN: As far as the Project is concerned
it had no particular part to do with a particular part of
the earth's surface.

MR. CUNNINGHAM: The organization necessary to
support that concept--

MR. BROSS: A "weapons system" has a rather military
significance to I think most of us. I take it this is not a piece
of armament--

MR. CUNNINGHAM: No, sir. This is a term which

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has been generally applied within the Services, particularly the Air Force, to imply a number of various subordinated systems to a primary system. In other words, the word "weapons system" -- and Col. Geary could verify this here -- to describe in Air Force language, let's say, a complete operating set of equipment which are capable of doing the assigned job. The word "weapons" I agree is sometimes misleading to an outsider.

COLONEL GEARY: You might say weapons integration, perhaps, to give you a system.

MR. HOUSTON: The point is, this had no aggressive capability?

MR. CUNNINGHAM: That is right.

Within the Agency this group or cell of people was set apart from any dealings with the Agency in terms of the normal Agency business. Our sole job was to get on with the work of creating an airplane and associated system, and in order to do so we, under this philosophy of compartmentation, selected from the Agency and from the Air Force a limited number of people who dropped all other concerns and who did

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this work and nothing else. At its peak in Headquarters when it was solely concerned with the U-2 effort this small cell took in around [redacted] people in all. In order to ensure complete compartmentation we structured this unit so that it would be able to do everything for itself. In other words, this is a departure from the normal Agency way of doing business. It had its own security force, it had its own finance officers, its own materiel office, its own contracting branch -- all of the things which it could do for itself, even down to its own travel section. We did not rely upon the balance of the Agency for its normal support. It had its own security classification system, and I think Col. Edwards may discuss this in greater detail later on. This entire concept, then, of putting aside a group of people to do a single task is basic, I think, to your understanding of what the organization looked like on the day when the incident occurred.

This same compartmentation was followed in the deployment of our units overseas, as well as during their training phase. When they were overseas they were not within the normal command structure of the Air Force, for example.

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They reported to Washington via separate and distinct channels from any military unit that might have been associated nearby with them. We even had for this purpose our own communications system which was separate and apart from the normal Agency communications system, relying in large part for support upon the Air Force's global communications network.

Within the detachment, then, there were basically -- the ~~xxxx~~ detachment overseas -- there were basically four different types of people all of whom were administered by the Central Intelligence Agency. These types were, in the first instance, Air Force officers and men who supplied those skills which related to the operation of aircraft and airframe systems. There were Central Intelligence Agency staff employees who were concerned for the most part with support functions, that is to say, security, finance, administration, and the like. There were also in each unit overseas contractor furnished personnel. You have heard this morning of all the various companies which participated in the U-2 project. Nearly all of them supplied people who in an Air Force context would have been called technical representatives. We had them overseas

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as an administrative responsibility of Central Intelligence

Agency.

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[redacted] We also had a group of contract employees which

constituted the pilots. These people were under contract

between themselves and the Central Intelligence Agency to

perform the function of flying the aircraft. Later on we also

had a group of contract guards in the security field in order to

take note of the changing responsibilities in terms of overseas

logistics support, courier duties in connection with the movement

of film, etc. So these were all under a centralized management

which reported to the cell in CIA with which I have been

associated over these years.

Policy guidance to the units in the field

stemmed from the cell to which I have referred. This cell

was also responsible for the recruitment of the pilots who made

up the group that flew the U-2. This responsibility was

obviously one which we could not undertake on our own, there

being no reservoir of qualified jet pilots in the United States

at that time except for the military. The Air Force rendered

timely and vital support to us throughout the recruitment of

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pilots for the U-2, and that support was centralized in two

places, in the Pentagon in an office known as which 25X1

was specially established for the support of this Project on

"the other side of the river" as we call it, and from the

Strategic Air Command which did the initial screening on the

pilots who were then subsequently recruited by a team comprised

of Agency personnel in the field of personnel administration

and security. I can't say accurately at the moment exactly

how many files were reviewed by the Air Force in the course

of selecting the pilots whom we eventually hired, but I do

recall at one point -- I remember a factor of about 20 to one --

in other words, for every man we finally got this represented

about 20 people who had been considered in the first instance

for this assignment. The bulk of the pilots whom we had in the

U-2 were those who had, in the first place, reserve officer

status, and who presumably thereby were not necessarily

career oriented in the Air Force. They also had to be qualified

jet pilots with as much experience as we could acquire.

Physically, of course, they had to meet extremely rigid

standards, and psychologically and from a security standpoint.

As it turned out, the majority of these men were fighter pilots,

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as opposed to bomber pilots--

JUDGE PRETTYMAN: You say "the majority of these men" -- which brings up a question, and if we ask a question we're not supposed to know the answer to, just say so -- did you have quite a few men qualified to fly the U-2? Were there quite a few, or two or three?

MR. CUNNINGHAM: The total number, as I recall, who went through this training and got as far as [redacted] was twenty nine.

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JUDGE PRETTYMAN: How many went as far as to be authorized to fly the U-2 on missions?

MR. CUNNINGHAM: It was a slightly smaller number. I can't recall accurately what that number was.

JUDGE PRETTYMAN: More than five?

MR. CUNNINGHAM: Yes.

JUDGE PRETTYMAN: More than ten?

MR. CUNNINGHAM: Yes. At the time of the 1 May incident, and from recollection, we then had seventeen, I believe it was, pilots on contract for this purpose. This was the residual from the 29 who had been originally recruited, some of whom were killed, of course, in the training program,

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and some of whom were dropped for various reasons.

MR. BROSS: May I ask how many fatalities there were in the training?

MR. CUNNINGHAM: In the CIA area of responsibility?

MR. BROSS: Pilots on the U-2 Project.

MR. CUNNINGHAM: In our program the total as I
remember was [redacted] This included one which occurred overseas
after the first unit had been deployed.

The screening of these pilots was as detailed as we then could make it on the basis of our unknown quantities in this particular field of endeavor. The initial selection, that is, the interviews with the men in the field, were three in number and spread over a period of the same number of days. These were on graduated levels of information, so that the individual could reject the opportunity at any point up until the final interview, when he was then in effect signed up to proceed further on the matter. Many men got as far as the first or second interview and rejected this because of family considerations or just because the interviewing team would not answer enough questions as to what they really were going to be.

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involved in. Those who passed the first three screening inter-

views and who were subsequently approved by Security were

then sent to the XXXXX [redacted]

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[redacted] where a specially designed series of physical examin-

ations were conducted. These physical examinations, to give

you an idea of the complexity of them, lasted five days, eight

hours a day, before the individual could be fully vetted as

being qualified to proceed further in the program. There was

an attempt made to furnish psychological assessment of the

individual as a function of these examinations. This was done

here in Headquarters. It was again not as searching as we

perhaps would have done had we had more experience in the

field of assessment of this kind -- the assessment of pilots

as opposed to agent types.

I made an earlier reference to the fact

that the Headquarters cell in the Agency was responsible for

providing the commanders of these units in the field -- by

the way, who were Air Force officers, and I should refer again

to the fact -- I think it may become critical later on -- that

the Air Force officers who were overseas operating the U-2

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were secunded to Central Intelligence Agency and received their guidance and orders from the CIA during the period of their employment. This could become a little hazy as you go further into this matter. The unit here in Headquarters -- the cell of which I have spoken -- was until 16 February 1959 administered on a full-time basis by Mr. Richard M. Bissell, Jr. He had as his Deputy an Air Force senior officer who was assigned to be cognizant of those matters of great interest to the Air Force. When Mr. Bissell became Deputy Director of Plans the senior air Force officer de facto became the Acting Chief of this activity. I served at that point as the senior Agency civilian in an administrative context. I have since that time become the Deputy to the Air Force officer who heads this Division of which I have spoken -- he is Colonel Stanley W. Berley, U. S. Air Force, who is not here at the present time.

I think the single most important document which you will be reviewing in the course of your assessment of this incident is the paper I have in front of me here which I would like to--

MR. HOUSTON: Before you pass it out I would like

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to identify it a little further. Did you personally participate
in the development of this paper?

MR. CUNNINGHAM: Yes, I did.

MR. HOUSTON: Do you have the original of that
document available?

MR. CUNNINGHAM: The original of the document
we do not have, as far as I can tell, at this point. We have
copies which are known to have been extant at the time of issue.
The original copy contained, by the time it was put out, so
many interlinear corrections and observations in the margin
that it was not retained, as I recall.

MR. HOUSTON: This document was developed when?

MR. CUNNINGHAM: This document was developed
for the first time and issued for the first time on the 8th of
May 1956. This was coincident with the deployment date of
the first unit overseas, which was the 7th of May 1956. The
edition which you will see here, which is dated 9 December 1957,
and is referred to as "OPERATIONS POLICY LETTER NO. 6",
the subject of which is: Intelligence Briefings, Including
Policy for Pilots Forced Down in Hostile Territory -- this was

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the edition which was in force at the time of the 1 May 1960
incident.

MR. HOUSTON: Under what authority was this
policy issued? Who authorized the issuance?

MR. CUNNINGHAM: The actual version as it appears
here before you was approved informally by General Cabell
as the Deputy Director of Central Intelligence. The individual
who has signed it here in pseudo was an Air Force Lieutenant
Colonel who at the time was serving as the Director of
Operations for the U-2 Project.

JUDGE PRETTYMAN: Now we haven't heard what it
is so I don't know how to ask a question about it, but is this
a briefing?

MR. HOUSTON: This is a paper--

JUDGE PRETTYMAN: It is a contract?

MR. HOUSTON: No. It was a policy direction to
the Headquarters unit and to units in the field--

MR. CUNNI NIGHAM: May I make one correction?
This was the policy paper which was sent by the Headquarters
to the field for their direction.

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MR. BROSS: May I ask Mr. Houston -- aren't we getting a little ahead of ourselves here? -- we haven't gotten the pilot hired yet.

MR. CUNNINGHAM: The reason I did not go into that more fully, Mr. Gross, is that [redacted]

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is the Personnel Officer for this Division and who like myself has been continuously associated with this for a good many years will discuss, I think in much greater detail, the actual contracting for the man's services. He was, by the way, one of the individuals who participated in the screening interviews at various Air Force bases throughout the United States that I have referred to that took place in 1956. He will be appearing before you subsequently, and I felt that you might want to get into that kind of detail with him.

MR. BROSS: We are now concerned with the general policy which governed the control of these pilots.

JUDGE PRETTYMAN: Now as I understand it, this paper -- up to now there is nothing to show that Powers ever saw this.

MR. CUNNINGHAM: This was not intended for him to see. This was intended -- as it reads here: "The purpose

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of this policy letter is to furnish guidance to detachment commanders".

JUDGE PRETTYMAN: This is what Headquarters told the detachment commanders?

MR. HOUSTON: That is why we are bringing it in at this time. We felt it was part of the basic administration.

MR. CUNNINGHAM: In other words, this is the basic document under which the detachment commander interpreted his responsibilities vis-a-vis the pilot, and it is the document from which he would give direction within his own unit to the officers who conducted the actual briefings of the individual prior to a given mission.

I would call your attention here to what I think is the most important part of this--

MR. HOUSTON: I would like to ask first if the Board feels this is sufficiently identified to be put in as a part of the record at this time, or do you want further identification or authentication of it?

JUDGE PRETTYMAN: As far as the identification is concerned, it's all right. Whether it has any degree of material we have to consider, I don't know.

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MR. HOUSTON: We would like to put it in the record as EXHIBIT 1.

MR. CUNNINGHAM: I believe in reaching your conclusions, gentlemen, this document will be as basic as anything you will see. I call your attention particularly to paragraph 4 thereof, which in effect set the tone for the entire pre-mission briefing of these pilots as they undertook these missions. As you will see as you read it, this is fairly definitive guidance regarding the behavior of the individual in the event of an incident over hostile territory. It is within that/framework, then, that any assessment of the behavior of Mr. Powers, I think, will be germane.

JUDGE PRETTYMAN: I don't know anything about it so there's no use exploring what is in it, but I very definitely have a question in my mind at the moment. It just occurs to me like this: suppose you have been trying a 2nd Lieutenant of Infantry for behavior on the battlefield, and somebody presented as part of the testimony an order issued by Camp Headquarters, Division Headquarters, General Order So & So. Well, that is all right -- that goes down to battalion headquarters and the Adjutant puts it in a file someplace -- and you can't try a

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a 2nd lieutenant for battlefield behavior -- you have to connect it up somehow -- he has to know about it some place.

MR. HOUSTON: That is correct, Judge. It is put in at this time because it is part of the general organization of the project. It needs to be connected up at a later date.

MR. CUNNINGHAM: I think within this the key point -- and I should relate this if I can to the whole purpose of the project -- was that the individual's behavior in event of capture by hostile forces was predicated on the assumption that whatever he did would support the concept of plausible denial, which was really basic to the entire U-2 project from its inception. In other words, the Central Intelligence Agency need have had no part of the management or operation of the U-2 had it not been for the desire on the part of the appropriate Government officials to disassociate this effort from the normal military context where the Government of the United States and the defensive military arms of the United States could be expected to be responsible in the event anything happened. This we have come through the years to refer to as the concept of plausible denial. In other words, the individual in order to take blame away from the aggressive military arm was instructed de novo --

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the policy was to instruct him to represent himself as an employee of the Central Intelligence Agency so that no one could inferentially associate him at that moment in time with the aggressive act of militarism which under a certain context the act of reconnaissance can be assumed to be.

I don't know at this point what additional I should say or could say which would shed more light on how we got to where we were on that morning of 1 May.

MR. BROSS: If I remember, Mr. Cunningham, you said that this represented the policy of the Government with respect to what it wanted its pilots to do and how it wanted its pilots to behave on the date on this and also on the date this policy was effective on the 1st of May 1960.

MR. CUNNINGHAM: That is correct. This in effect was the distillate of our policy with regard to disassociation of the military from this endeavor.

JUDGE PRETTYMAN: Now you said something about the fact that the original of this had so many interlinear corrections in it, and what not--

MR. CUNNINGHAM: Sir, we have within our records

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the original stencils from which these copies were made,

which has the (holographic ?) signature of the man who signed it.

The actual document with any kind of approval at the Deputy

Director level, we do not have.

MR. HOUSTON: We do have this draft?

MR. CUNNINGHAM: Yes.

MR. BROSS: This document has a signature on it.

GENERAL BULL: He was talking about the original
draft several years before this.

MR. CUNNINGHAM: In other words, the original
drafting job was done in the spring of 1956. The revisions
which then took place between that version and the version
you have before you also went through a draft subsequently,
but because it was merely an amendment to an original document
there was no attempt to preserve the draft versions with all the
pencilled notations on it. It was simply put out in this form,
and the Director of Operations, who at that point was authorized
to do so, signed the original stencil, because it required a
sufficiently wide distribution that it was turned out as a
** stencilled document as opposed to one made on the typewriter

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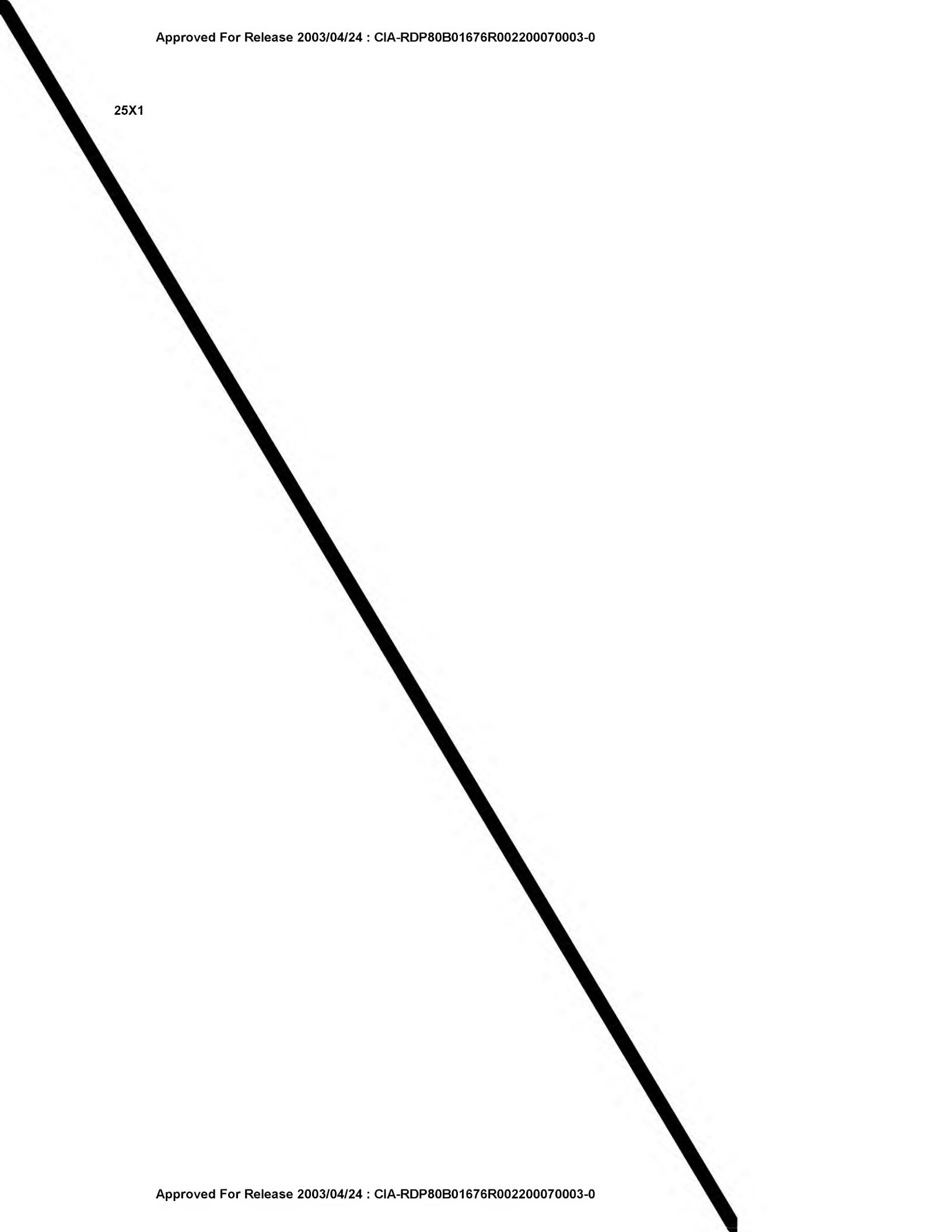
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